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Counsel for Defendant, FIDELITY NATIONAL PROPERTY AND CASUALTY INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**OCEANA CONDOMINIUM NO. FOUR  
AND OCEANA CONDOMINIUM NO. EIGHT,**

**Plaintiff,**

Case No. 1:14-cv-03041-SLT-MDG

vs.

**FED. RULE CIV. P.  
41(A)(1)(a)(ii) DISMISSAL  
ORDER**

**WILLIAM CRAIG FUGATE, In His  
Official Capacity as Administrator of the  
FEDERAL EMERGENCY  
MANAGEMENT AGENCY, FIDELITY  
NATIONAL PROPERTY AND  
CASUALTY INSURANCE COMPANY  
d/b/a WRIGHT NATIONAL FLOOD  
INSURANCE COMPANY, WRIGHT  
NATIONAL FLOOD INSURANCE  
COMPANY, COOPER SQUARE  
REALTY, INC., TM ROSS INSURANCE  
BROKERAGE, LLC, TODD M. ROSS,  
FS INSURANCE BROKERS OF NEW  
YORK, LLC, FS INSURANCE  
BROKERS, INC., FS INSURANCE  
BROKERS OF NEW YORK, LLC d/b/a  
FS INSURANCE BROKERS OF NY,  
LLC, FS INSURANCE BROKERS, INC.  
d/b/a FS INSURANCE BROKERS OF  
NY, LLC AND ARTHUR J.  
GALLAGHER RISK MANAGEMENT  
SERVICES, INC.,**

**Defendant.**

Come now the Plaintiffs, Oceana Condominium No. Four and No. Eight, through its attorney of record, Wilfofsky, Friedman, Karel & Cummins and Fidelity National Property and Casualty Insurance Company d/b/a Wright National Flood Insurance Company, Wright National Flood Insurance Company, through its attorney of record, Theodore I. Brenner, and pursuant to Fed Rule Civ. P. 41(a)(1)(A)(ii) do hereby dismiss this action as against Fidelity National Property and Casualty Insurance Company only, with prejudice and with each party bearing their own respective costs and expenses. This action continues as against the remaining defendants both in this action, as well those in the state court action currently pending the Supreme Court of New York County.

This the 14<sup>th</sup> day of August, 2015

By: /s/ Roman Rabinovich  
Roman Rabinovich, Esq.  
Wilfofsky, Friedman, Karel & Cummins  
299 Broadway, Ste. 1700  
New York, NY 10007  
*Counsel for Plaintiff*

By: /s/ Patrick Brophy  
Patrick Brophy, Esq.  
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*Counsel for Defendant*

By: /s/ Theodore I. Brenner  
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**SO ORDERED:**